

05-09-01

PTO/SB/05 MODIFIED BY AT&T CORP.

**UTILITY
T APPLICATION
ANSMITTAL**

~~(Only for new nonprovisional applications under 37 CFR 1.53(b))~~

Attorney Docket No.	2001-0192	Total Pages
<i>First Named Inventor or Application Identifier</i>		
Harvey R. Bialk et al.		
Express Mail Label No.	EL758616339US	

C872 U.S. PRO

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Commissioner for Patents
Box Patent Application
Washington, D.C. 20231

1. **Fee Transmittal Form**
(submit an original, and a duplicate for fee processing)

2. **Specification** [Total Pages 33]
(preferred arrangement set forth below)

 - Descriptive title of invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings(if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure

3. **Drawing(s)(35 USC 113)** [Total Sheets 12]

4. **Oath or Declaration** [Total Pages 5]

 - a. Newly executed (original or copy)
 - b. Copy from a prior application(37 CFR 1.63(d))
(for continuation/divisional with Box 17 completed)
[Note Box 5 below]

i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 163(d)(2) and 1.33(b)

5. **Incorporation by reference**(useable if Box 4b is checked)
The entire disclosure of the prior application, from which a or declaration is supplied under Box 4b, is considered as disclosure of the accompanying application and is hereby referenced herein.

6. Microfiche Computer Program (*Appendix*)
 7. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Copy
 - b. Paper Copy (identical to computer copy)
 - c. Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

- Assignment Papers(cover sheet & document(s))
 - 37 CFR 3.73(b)Statement Power of Attorney
 - English Translation Document *(if applicable)*
 - Information Disclosure Copies of IDS Statement(IDS)/PTO-1449 Citations
 - Preliminary Amendment
 - Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
 - Small Entity Statement filed in prior application, Statement(s) Status still proper and desired
 - Certified Copy of Priority Document(s)
(if foreign priority is claimed)
 - Other : Non-Publication Request

17. If a continuing application: check appropriate box and supply the requisite information:

Continuation Divisional Continuation-in-part (CIP) of prior Application No:

18. CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label	(Insert Customer No. or Attach bar code label here)	or <input checked="" type="checkbox"/> Correspondence address below
--	---	---

19. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME	Jeffrey M. Navon	Reg. #	32711
TELEPHONE	908-221-2736		
SIGNATURE		DATE	May 8, 2001

"Express Mail" Mailing Label Number EL758616339US

Date of Deposit 05/08/2001

I hereby certify that this application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Washington D.C. , 20231

Nicole Barrett
(Printed Name of Person Mailing Paper)

Editorial

FEE TRANSMITTAL

Patent Fees are subject to annual revision on October 1.

These are the fees effective October 1, 1997.

Small Entity payments must be supported by a small entity Statement, otherwise, large entity fees must be paid. See Forms PTO/SB/09-12.

TOTAL AMOUNT OF PAYMENT \$710.00

Complete if Known			
Application Number			
Filing Date			
First Named Inventor	Harvey R. Bialk et al.		
Examiner Name			
Group/Art Unit			
Attorney Docket No.	2001-0192		

METHOD OF PAYMENT (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 01-2745
Deposit Account Name AT&T CORP.

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing Date of the Notice of Allowance

2. Payment Enclosed

Check Money Order Other

FEE CALCULATION**1. FILING FEE**

Large Fee Code	Entity Fee(\$)	Fee Description	Fee Paid
101	710	Utility Filing Fee	\$710.00
106	320	Design Filing Fee	
107	480	Plant Filing Fee	
108	710	Reissue Filing Fee	
114	150	Provisional Filing Fee	
SUBTOTAL (1)			\$710.00

2. CLAIMS	<input type="checkbox"/> New Filing		<input type="checkbox"/> Amendment
	Extra Claims		Fee Paid
Total	17	- 20 =	0 X 18 = \$0.00
Ind.	2	- 3 =	0 X 80 = \$0.00
Multiple Dependent Claims		0	= \$0.00
SUBTOTAL (2)			\$0.00

Large Fee Code	Entity Fee(\$)	Fee Description
103	18	Claims in excess of 20
102	80	Independent Claims in excess of 3
104	270	Multiple Dependent Claims
109	80	Reissue independent claims over original patent
110	18	Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		

FEE CALCULATION (continued)				
3. ADDITIONAL FEES	Large Fee Code	Entity Fee(\$)	Fee Description	Fee Paid
	105	130	Surcharge - late filing fee or oath	
	127	50	Surcharge - late provisional filing fee or cover sheet	
	139	130	Non-English specification	
	147	2520	For filing a request for reexamination	
	112	920*	Requesting publication of SIR prior to Examiner action	
	113	1840*	Requesting publication of SIR after to Examiner action	
	115	110	Extension for reply within first month	
	116	390	Extension for reply within second month	
	117	890	Extension for reply within third month	
	118	1390	Extension for reply within fourth month	
	128	1890	Extension for reply within fifth month	
	119	310	Notice of Appeal	
	120	310	Filing a brief in support of an appeal	
	121	270	Request for oral hearing	
	138	1510	Petition to institute a public use proceeding	
	140	110	Petition to revive - unavoidable	
	141	1240	Petition to revive - unintentional	
	142	1240	Utility issue fee (or reissue)	
	143	440	Design issue fee	
	144	580	Plant issue fee	
	122	130	Petitions to the Commissioner	
	123	50	Petitions related to provisional applications	
	126	240	Submission of Information Disclosure Statement	
	581	40	Recording each patent assignment per property(times number of properties)	
	146	710	Filing a submission after final rejection(37 CFR 1.129(a))	
	149	710	For each additional invention to be examined (37 CFR 1.129(b))	
	Other fee (specify)			
	Other fee (specify)			
	* Reduced by Basic Filing Fee Paid			
	SUBTOTAL(3)			

SUBMITTED BY

Typed or Printed Name	Jeffrey M. Navon	Reg. Number	32711
Signature		Date	05/08/2001

SEND TO: Commissioner for Patents, Box: Patent Application, Washington, D.C. 20231

**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor		Harvey R. Bialk et al.
Title	Method And System For Provisioning Broadband Network Resources	
Atty Docket Number	2001-0192	

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

May 8, 2001
Date



Signature

Jeffrey M. Navon Attorney
Reg. No. 32711

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**